

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Karl-Heinz Kogel et al.

Application No.: 10/522,106

Confirmation No.: 9243

Filed: January 24, 2005

Art Unit: 1638

For: **METHOD FOR OBTAINING THE
PATHOGENIC RESISTANCE IN PLANTS**

Examiner: Ibrahim, Medina Ahmed

**THIRD REQUEST FOR CORRECTED NOTICE OF ACCEPTANCE OF
APPLICATION UNDER 35 U.S.C. 371 AND 37 CFR 1.495**

MS Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby request that a corrected Notice of Acceptance of Application Under 35 U.S.C 371 and CFR 1.495 be promptly issued in the above-identified patent application. The official Notice of Acceptance of Application Under 35 U.S.C 371 and CFR 1.495 received by Applicant dated March 7, 2008 has errors in the dates under the following sections:

1. **"The United States Application Number assigned to the application is shown above and the relevant dates are":**
 - "Date of Receipt of 35 U.S.C. 371 (c)(1), (c) (2) and (c) (4) Requirements" should read "07/19/2007" in lieu of "07/26/2007"; and
 - "Date of Completion of All 35 U.S.C. 371 Requirements" should read "07/19/2007" in lieu of "07/26/2007."
2. **"The following items have been received:" section as follows:**
 - "Information Disclosure Statements filed on" should read "06/17/2005" in lieu of "02/25/2005";
 - "Biochemical Sequence Diskette filed on" should read "11/20/2006" in lieu of "11/12/2007";

- “Specification filed on” should read “01/24/2005” in lieu of “07/26/2007”;
 - “Claims filed on” should read “01/24/2005” in lieu of “07/26/2007”;
 - “Abstracts filed on” should read “01/24/2005” in lieu of “07/26/2007”; and
 - “Drawings filed on” should read “01/24/2005” in lieu of “07/26/2007.”
3. **“ATTY. DOCKET NO.”** should read “12810-00067-US” in lieu of “532622010500”.

A marked-up copy of the Notice of Acceptance of Application Under 35 U.S.C 371 and CFR 1.495 with the corrections to be made is enclosed herewith.

Explanations and copies of the stamped return postcards as evidence for support of all the above date changes have already been submitted to the Patent Office with the first “Request for Corrected Filing Receipt, Corrected Notice of Acceptance of Application, and Change of Correspondence Address” received by the Patent Office on February 26, 2008, copies of which are available in the electronic file wrapper of the PAIR system.

Applicants request that all pertinent U.S. Patent and Trademark Office records relating to the subject application be changed to reflect these corrections. The Patent Office is invited to contact the undersigned if any questions or issues remain.

Applicants believe no fee is due with this request. However, if a fee is due, please charge our Deposit Account No. 03-2775, under Order No. 12810-00067-US from which the undersigned is authorized to draw.

Respectfully submitted,

By /s/ Hui-Ju Wu

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Registration No.: 57,209

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
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U.S. APPLICATION NUMBER NO. 10/522,106	FIRST NAMED APPLICANT Karl-Heinz Kogel	ATTY. DOCKET NO. 532622010500
23416 CONNOLLY BOVE LODGE & HUTZ, LLP P O BOX 2207 WILMINGTON, DE 19899		INTERNATIONAL APPLICATION NO. PCT/EP03/07589
		LA. FILING DATE 07/14/2003
		PRIORITY DATE 07/22/2002

CONFIRMATION NO. 9243
371 ACCEPTANCE LETTER



0000000028643007

Date Mailed: 03/07/2008

NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

07/26/2007 *Should Be 7/19/2007*
DATE OF RECEIPT OF 35 U.S.C. 371(c)(1),
(c)(2) and (c)(4) REQUIREMENTS

07/26/2007 *Should Be 7/19/2007*
DATE OF COMPLETION OF ALL
35 U.S.C. 371 REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE " FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE.** The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- Copy of the International Application filed on 01/24/2005
- Copy of the International Search Report filed on 01/24/2005
- Copy of IPE Report filed on 01/24/2005
- Preliminary Amendments filed on 01/24/2005
- Information Disclosure Statements filed on 02/25/2005 *Should Read: 6/17/2005*
- Biochemical Sequence Diskette filed on 11/12/2007 *Should Read: 11/20/2006*
- Oath or Declaration filed on 07/26/2007
- Biochemical Sequence Listing filed on 01/24/2005
- Request for Immediate Examination filed on 01/24/2005
- U.S. Basic National Fees filed on 01/24/2005
- Assignment filed on 01/24/2005
- Priority Documents filed on 01/24/2005
- Power of Attorney filed on 01/24/2005
- Specification filed on 07/26/2007 *Should Read - 1/24/2005*
- Claims filed on 07/26/2007 *Should Read - 1/24/2005*
- Abstracts filed on 07/26/2007 *Should Read - 1/24/2005*

- Drawings filed on 07/26/2007 should read 1/24/2005

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

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